

Appl. No. 10/665,663
Atty. Docket No. 9075ML
Amdt. dated August 5, 2005
Customer No. 27752

REMARKS

Claims 1-5, and 7 -19 remain in the instant Application and are presented for the Examiner's reconsideration in light of the above Amendments and the following comments. The subject matter of claim 6 has been incorporated into claim 1. Claim 6 has been cancelled. Claims 1, 3, 9, 10, and 12-19 have been amended.

Rejection Under 35 U.S.C. §112

The Examiner has rejected Claims 1-19 under 35 U.S.C. §112, ¶2 because "applicants' use of the terminology 'secondary function' throughout is considered to be vague, indefinite and confusing in their various presented article claims." Applicants have amended the claims to replace the term secondary function with the term secondary functional element to clarify that which the inventor considers to be the invention. Support for the amendment may be found in the specification starting at page 5 line 4 to page 14 line 14. No new matter has been added.

Rejection Under 35 U.S.C. §103

Claims 1-19 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hamilton, et al., U.S. Patent No. 5,968,633 or Hamilton, et al., U.S. Patent No. 5,871,607. Applicants respectfully request the Examiner to consider the following comments with regard to both the Hamilton references over the instant rejection. Applicants have amended claim 1, 10, and 15 – the three independent claims such that each of the independent claims now sets forth a combination of an adhesive disposed in the valleys of the web together with either a secondary function in the web or upon the protrusions of the web.

The Hamilton references, '633 and '607 do not teach or suggest the combination of a first functional element disposed in the valleys of the web together with a secondary functional element disposed either within the web material or upon the protrusions. The disclosure of the 607 reference provides for a first element in the valleys and a second element in the opposing valleys but this disclosure does not suggest the invention as claimed.

The individual references individually and in combination fail to teach or suggest each of the limitations of the invention as claimed. The references alone and in combination do not support a *prima facie* case of obviousness under 35 USC §103(a). Applicants respectfully request reconsideration and withdrawal of this rejection.

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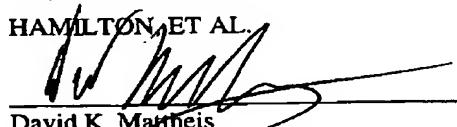
Conclusion

Based on the foregoing, it is respectfully submitted that each of Applicants' remaining claims is in condition for allowance and favorable reconsideration is requested.

This response is timely filed pursuant to the provisions of 37 C.F.R. §1.8 and M.P.E.P. §512, and no fee is believed due. However, if any additional charges are due, the Examiner is hereby authorized to deduct such charge from Deposit Account No. 16-2480 in the name of The Procter & Gamble Company.

Respectfully submitted,

HAMILTON ET AL.


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